

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, CR 14-0094

-against-

U.S. Courthouse  
Central Islip, NY

JOSEPH VALERIO,

September 26, 2016  
1:45 p.m.

Defendant.

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TRANSCRIPT OF FATICO HEARING  
BEFORE THE HONORABLE JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: ROBERT L. CAPERS  
United States Attorney  
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Central Islip, NY 11722  
By: AMEET KABRAWALA, ESQ.  
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For the Defendant: LEONARD LATO, ESQ.  
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Proceedings recorded by mechanical stenography; transcript  
produced by computer transcription.

OWEN WICKER, RPR  
OFFICIAL COURT REPORTER

1 (Case called.)

2 MR. KABRAWALA: Good afternoon, Judge, Ameet  
3 Kabrawala and Allen Bode for the United States.

4 THE COURT: Good afternoon.

5 MR. LATO: Leonard Lato and Anthony LaPinta for  
6 Mr. Valerio.

7 THE COURT: Good afternoon.

8 We scheduled this as a continuation of the  
9 Fatico hearing, so are we ready to proceed.

10 MR. KABRAWALA: Yes, your Honor. The government  
11 has one witness who is here.

12 THE COURT: I appologize we moved the time from  
13 the trial that went over from last week so I appreciate  
14 everybody changing their schedule.

15 Who are you calling?

16 MR. KABRAWALA: The witness' name is A [REDACTED]  
17 D [REDACTED], D [REDACTED] and she is entering the courtroom  
18 now.

19 MR. LATO: Your Honor, just in terms of your  
20 Honor's schedule, Mr. Kabrawala tells me he will be about  
21 an hour. I figure I will be about a half hour, no more  
22 than that. If we can have ten minutes between the direct  
23 and cross so I can confer with Mr. Valerio?

24 THE COURT: Absolutely.

25 THE CLERK: Please remain standing and raise

OWEN WICKER, RPR

OFFICIAL COURT REPORTER

1 your right hand.

2 A [REDACTED] D [REDACTED],

3 called as a witness, having been first

4 duly sworn, was examined and testified

5 as follows:

6 THE WITNESS: A [REDACTED], A [REDACTED]

7 D [REDACTED], D- [REDACTED].

8 THE COURT: You may be seated. If you can pull  
9 your chair up.

10 Go ahead, Mr. Kabrawala.

11 MR. KABRAWALA: Thank you, Judge.

12 DIRECT EXAMINATION

13 BY MR. KABRAWALA:

14 Q Good afternoon.

15 A Good afternoon.

16 Q Where are you from?

17 A Johannesburg in South Africa.

18 Q Are you lived there your entire life?

19 A Born and raised there.

20 Q When were you born?

21 A In 1979.

22 Q Did you receive a subpoena to testify here today?

23 A Yes, I did.

24 Q Did you travel here with anyone?

25 A No, my children are at home.

1 Q How many children do you have?

2 A I've got two. I have a son who is nine years old and  
3 a daughter seven.

4 Q What are their names?

5 A [REDACTED], and daughter is A [REDACTED].

6 Q Can you briefly describe your educational background?

7 A I studied finance in 2000 while I got my degree in  
8 2000. It's called E.comm. And I've done a number of  
9 other courses but I got it.

10 Q The spelling of it is E.comm?

11 A Yes.

12 Q It's Doctoral in Commerce?

13 A Yes.

14 Q You got that around 2000?

15 A Correct.

16 Q Have you ever been to the United States before?

17 A Yes, I've made a number of trips.

18 Q How many times have you been in the United States?

19 A I've been here now five times, five trips.

20 Q Can you please tell us approximately the month and  
21 years you've been in the United States starting with your  
22 first trip to the U.S.?

23 A The first time I came here was in February of 2008.

24 I stayed around about the end of May of '08. Then I went  
25 home to visit my mother for a couple weeks and I returned

1 again the end of June, somewhere there, stayed until  
2 around about October-November and I went home to visit my  
3 family. Then I came back. I think it was shortly before  
4 Christmas, if I remember correctly.

5 And the last time I left I actually stayed for  
6 an extended period. I overstated my permitted stay and  
7 left in March of 2010.

8 Q So generally speaking, approximately you were here  
9 from February of '08 until May of '08, and then from June  
10 of '08 until approximate October, November of '08, and you  
11 came back in -- toward the end of the year in 2009 and  
12 stayed about 14 months until March of 2010?

13 A Correct.

14 Q That just give us some bookends in terms of your  
15 prior stays here.

16 Now on all occasions that you visited the United  
17 States, did you come to Long Island, New York?

18 A Yes, I did.

19 When I first stayed here, I moved into a home in  
20 Water Mill that Joseph owned and I stayed there for my  
21 first trip.

22 When I came back on my second trip I stayed for  
23 a couple of weeks in the house in Smithtown and that's  
24 where I was staying.

25 Q Are you referring to Joseph Valerio when you say

1 "Joseph"?

2 A Yes.

3 Q Do you see Mr. Valerio in the courtroom today?

4 A Yes, I do.

5 Q Could you please identify Mr. Valerio by pointing him  
6 out and describing an article of clothing he's wearing?

7 A A khaki green shirt.

8 Q A khaki green shirt.

9 MR. KABRAWALA: May the record reflect the  
10 witness has identified Mr. Valerio?

11 THE COURT: Yes.

12 Q Can you please tell us how you came to know  
13 Mr. Valerio?

14 A I met Joseph on line on a dating website called  
15 christiansingles.com.

16 Q Around when was that?

17 A Around about July or August of '07 and I was seven  
18 months pregnant with my son at the time.

19 We started communicating on line and he gave me  
20 his personal e-mail address and started to communicate  
21 through private e-mail, and he used to phone me. And this  
22 continued for some time.

23 Around about when my son was 3 months old, he  
24 asked me to come to the United States.

25 Q When, is it fair to say, you were developing a

1 romantic relation with Mr. Valerio and on the phone?

2 A Yes.

3 Q This was around 2007?

4 A Correct.

5 Q At some point you two decided to meet?

6 A In February of '08, I came to the United States for  
7 the first time and that's when I met him in person for the  
8 first time.

9 Q When he collected you at the airport?

10 A Yes.

11 Q By the way, who paid for your plane ticket.

12 A Joe did.

13 Q Did you have a child at this point?

14 A I had my son who was about three or four months old  
15 at the time because he was born in October, so I brought  
16 him with me.

17 Q That was your first time in the United States?

18 A Yes.

19 Q You said that you lived in Water Mill?

20 A Yes, when he fetched me from the airport he took me  
21 to his home in Water Mill and I was thrilled to be here.

22 He treated me very well. He greeted me with a  
23 beautiful bouquet of roses, went to the home, enormous box  
24 of chocolates, brought a beautiful gift to my son and made  
25 me feel very welcome and pleased that I was here, and I

1 looked forward to develop the relationship.

2 Q Tell us how the relationship progressed in the first  
3 few months?

4 A In the beginning it was really good, had a lot of  
5 fun, treated me very, very well, and then he started to  
6 become a little angry. If he had a bad day, and that  
7 became two bads days in the week. The bad week would come  
8 a bad month. And his frustrations and anger became a  
9 regular occasion.

10 I was downstairs and I put my son in for a nap  
11 and I wet to fetch him a bottle of formula and he tripped  
12 me and started to laugh, and said to me you should be less  
13 clumsy. It was a little bit of affront because I knew it  
14 was deliberate. I didn't know how to respond. That was  
15 the first incident that I recalled.

16 After that I remember an incident where we've  
17 been to the beach for the morning and we came back and  
18 preparing lunch. Joe had been preparing something, I was  
19 preparing something, and I thanked him for the trip, and I  
20 said I enjoyed my day and he said he didn't like my  
21 response the way I thanked him and I couldn't understand  
22 what he met but he became very angry.

23 I remember he became quite irate and he through  
24 me down to the kitchen floor and started choking me and  
25 hitting me and I screamed.



1 I remember hearing a teenaged boy next door,  
2 mom, there's a woman screaming. And I don't know if it  
3 was a neighbor, but I heard Joe saying something to them  
4 and they left. And I just stayed in the room for the rest  
5 of the morning --

6 MR. KABRAWALA: I'm sorry for cutting you off.

7 Q How did Mr. Valerio behave toward [REDACTED], your son?

8 A He treated him very well in the beginning, very  
9 loving, affectionate and I felt good about that.

10 He treated him well. He did everything that  
11 [REDACTED] needed. He would buy him a walking ring, buy him all  
12 things that children need, gifts, things like that, and  
13 treated him very well in the beginning.

14 Q Did that continue?

15 A No. As the relationship went on he made me feel my  
16 son was a burden, didn't want him around. I felt that he  
17 began to resent him.

18 Q What did Mr. Valerio say to you about your son?

19 A Well, there was a time I remember when my son was  
20 crying because he was an infant and Joe would say he  
21 didn't sign up for this and if [REDACTED] continued to cry maybe  
22 he should be locked in the basement. Things like that  
23 really upset me a lot.

24 If I used my son and gave him a lot of affection  
25 -- no, you are coddling him, he is a boy, he needs to

1 toughen up.

2 Q Did Mr. Valerio tell you about any other women he was  
3 involved with or was involved in his life?

4 A When I started to communicate with on line, he told  
5 me about his cousin's daughter by the name of Valeria.  
6 The way he spoke about her, he talked about her like she  
7 was any other family member.

8 Then as time went on, after I met Joe and I was  
9 living with him, I saw that his affections towards her  
10 were just more than family and he spoke about her, how  
11 wonderful she was, why I should be more like her. I was  
12 never good enough, and he always used to compare  
13 everything I did, everything I said, the way I dressed,  
14 always compared to her and told me how she was the love of  
15 his life and he was the woman he really wanted to be with.

16 Q During the first few months at Mr. Valerio's Water  
17 Mill home, did you come to meet any of his family members?

18 A Yes, when my son was six months old, we decided to  
19 meet his parents and I was staying at the Water Mill home  
20 because Joseph had a 12 or 13-year old son at the time and  
21 because he would been recently divorced, he didn't want to  
22 upset his son by introducing a new woman and son into his  
23 in-laws, and I respected that, and I thought that was  
24 fair.

25 By then when my son was six months old we

1 thought it was a good idea to meet his parents. I was  
2 uncomfortable with the situation that he didn't want his  
3 parents to know that my son wasn't his son, and he wanted  
4 to introduce myself to his parents as his child, as a  
5 newborn child, but my child was six months old at the  
6 time, he was a big child, so this didn't make any sense to  
7 me and I knew it wasn't believable.

8 I wouldn't confront him about it. I didn't  
9 understand the feelings, just leave it, and surely the  
10 truth will come out.

11 So at that point I went to meet his parents, his  
12 mother, father and sister and sister's husband at the  
13 house in Massapequa.

14 Q You introduced [REDACTED] as your child with Mr. Valerio?

15 A He introduced [REDACTED] as his son.

16 Q Now, during your first trip -- withdrawn.

17 At any time after you met Mr. Valerio's family,  
18 did you tell them about Mr. Valerio's mistreatment of you?

19 A No, never.

20 Q Why not?

21 A In the beginning I felt that it was perhaps something  
22 that would disappear, perhaps I could do something more or  
23 do something better or change something to make the  
24 relationship better. I thought I could fix it. I thought  
25 it was something that would be mended somehow, and I

1 didn't want anyone to be upset about the things that  
2 happened and create unnecessary issues.

3 Q You mentioned earlier you left the United States in  
4 approximately May of 2008. Did you go back home to South  
5 Africa?

6 A Yes, I was missing my mother very much and I knew  
7 because my son was so young and the children grow up  
8 quickly, she would want to see my son again. So I asked  
9 Joe if I could please visit my mother.

10 During that time in May he had mentioned that he  
11 was involved in some kind of fashion show, I don't know if  
12 he had arranged it or he was just involved, but he was  
13 doing something with it and he asked me to be a part of  
14 it, but the details that he gave about it made me  
15 extremely uncomfortable and I thought it was a good  
16 opportunity for me before this fashion show so I wouldn't  
17 have to do anything about it. And he had told me that  
18 there were people that designed a dress, a particular  
19 dress they wanted me to wear and he started to tell me how  
20 in the back room we would be wearing nothing but panty  
21 hose and the girl would feed me a glass of champagne and  
22 somebody would slip a finger inside me, and I thought I  
23 would with be very uncomfortable and it would be a good  
24 time to visit my mother so he could go to the fashion show  
25 without me.

1 Q Did you return -- withdrawn. How long approximately  
2 did you spend in South Africa on that return?

3 A It was a couple weeks. I remember leaving around  
4 about the end of May, I think, and I think it was four or  
5 six weeks that I came back.

6 Q When you came back, who picked you up at the airport?

7 A Joseph came to fetch me the airport.

8 Q What was that reunion like?

9 A I came with two suitcases and my child and my  
10 stroller and my hands were quite full. There was a  
11 gentleman at the airport who very kindly offered his help  
12 and asked if he could take my bags so I could carry my son  
13 and I was very grateful for the help. And I walked  
14 through and I met Joseph in the waiting area and he hugged  
15 me and he greeted me and he was happy to see us and then  
16 he was surprised I didn't have my bags with me and he  
17 asked me where is my bags?

18 I turned around and pointed to the gentleman  
19 behind me. I said this gentleman is helping me with my  
20 bags and Joe suddenly became angry and dragged the bag  
21 from the man and stormed off and I apologized to the  
22 gentleman, and Joe didn't speak to me the rest of the way  
23 in the car and he was angry.

24 I was concerned about what would happen when we  
25 got home and we were travelling on our way back to Water

1 Mill where I would be staying for a further few weeks.

2 When he got to the house he told me to go  
3 upstairs. I said I'm putting my son down for a nap. I  
4 went to put [REDACTED] in his crib and gave him formula in the  
5 kitchen and he when to sleep, and after I put him down I  
6 did come back downstairs and Joe was waiting for me in the  
7 lounge.

8 He grabbed me and he pushed me down on to a  
9 suede couch that he had in the lounge and pushed my face  
10 down in the pillow and started ripping my clothes off.  
11 Oh, you like attention? I'll show you who is in charge.  
12 He very aggressively had his way with me and he tore my  
13 clothes and when he was done with me he got up and walked  
14 away and he left me there. I gathered my clothes and I  
15 was crying.

16 I had taken a shower. I didn't know how to  
17 react, how to confront him, what to do. Got dressed and  
18 went into the room.

19 MR. KABRAWALA: May I approach the witness to  
20 give her some water?

21 THE COURT: Yes.

22 Q Did you tell anyone about this incident?

23 A Excuse me?

24 Q Did you tell anyone about this incident?

25 A No.

1 Q Why not?

2 A For someone like me, I feel that I was concerned  
3 about what people would think, my family or my friend or  
4 somebody because I'm supposed to be an educated woman who  
5 should know better. If someone treats me badly, why  
6 wouldn't I leave, and I was embarrassed. I felt  
7 embarrassed that I didn't make a proper decision, but I  
8 also didn't know what else to do.

9 There's some things I can't explain, but I was  
10 ashamed to tell people what was happening to me. I didn't  
11 want them to think badly of me or how could she let this  
12 happen? Why doesn't she leave? I thought nobody would  
13 understand.

14 Q I want to show you what has been marked as  
15 Government's Exhibit 3-A, and I'll bring you the original  
16 and I'll put on the overhead projector a copy of it.

17 THE COURT: Hold on a second. Any objection to  
18 this?

19 MR. LATO: Oh, no, your Honor.

20 THE COURT: 3-A is admitted.

21 (Whereupon, Government Exhibit 3-A was received  
22 in evidence.)

23 Q Showing you what is in evidence as 3-Alpha, do you  
24 recognize that document?

25 A Yes, I do.

1 Q What is that piece of paper?

2 A It's a note that was left on my computer keyboard one  
3 afternoon. He had gone grocery shopping and he came back  
4 and I helped him take the groceries out of the car. I  
5 don't recall what he said to me or what it was about, and  
6 we had an argument, and the neighbors were in their front  
7 door because the back door faces onto the neighbor's front  
8 garden.

9 That afternoon or shortly thereafter, I went  
10 downstairs to the computer and I found this note left on  
11 the keyboard for me.

12 MR. LATO: Your Honor, may I just have one  
13 moment, please.

14 THE COURT: Yes.

15 Q Do you have an approximate time frame when this note  
16 was left for you?

17 A I can't remember the exact date.

18 Q Was this at Water Mill or Smithtown?

19 A Smithtown.

20 Q At some point as you described earlier you moved from  
21 the Water Mill residence to the Smithtown house?

22 A Yes, I remember it was around about his son's  
23 birthday. He felt it was a good time to introduce me to  
24 his son and that was a good time for me to move into the  
25 Smithtown house, around then.



1 Q This was on your second trip?

2 A Second trip, yes.

3 Q Now did this note influence your decision whether or  
4 not to talk to neighbors about what had been happening to  
5 you?

6 A I didn't want to tell anybody what was going on. I  
7 was embarrassed. I didn't know how to tell people, didn't  
8 know what to say. I didn't think anyone would think well  
9 of it.

10 Q Now, at some point during your second visit to Long  
11 Island, did you become pregnant with Mr. Valerio's child?

12 A Yes. Around about July 2008, I think it was, I fell  
13 pregnant with my daughter [REDACTED].

14 Q Did you tell Mr. Valerio that you were pregnant?

15 A Yes, I did.

16 Q At some point during your second trip, did you tell  
17 Mr. Valerio that you intended to return to South Africa?

18 A Yes, I had asked him if I could please go see my  
19 mother again and he began to complain: I didn't want to  
20 spend the money, and if I was missing my family it was my  
21 tough luck. I just had to deal with it.

22 Q Did you ultimately get Mr. Valerio's permission to go  
23 to South Africa?

24 A Yes, eventually he agreed. He said to me I could go  
25 but he made it very clear to me if I did not come back he

1 was going to fetch me, send somebody after me and he would  
2 do me in, and I had to make sure that I was going to come  
3 back or he was going to hurt me.

4 Q Did you believe that to be true?

5 A I did, yes.

6 Q So you returned to South Africa in I think you  
7 testified October, November of 2009, thereabouts?

8 A Yes.

9 Q And you came back shortly thereafter. Was it before  
10 or after Christmas in '08?

11 A If I remember correctly, I think it was before  
12 Christmas. I know I did give specific dates to the  
13 authorities because it was in my passport, but it was  
14 around about then.

15 Q How long were you permitted to return to the United  
16 States for?

17 A I would say six months at a time, even though my visa  
18 was valid for ten years, unfortunately the situation was  
19 such that when I gave birth to my daughter in April of  
20 '09, Joe refused to let me leave the country and I wasn't  
21 going to leave my daughter behind, and I knew that if I  
22 had stayed or overstated my permitted stay it was going to  
23 cause penalties to me to not be aloud to come back.

24 But as much as I fought with Joe to please let  
25 me leave he wouldn't.

1 Q I want to go back to the third time you came to the  
2 United States. Presumably you were pregnant?

3 A Yes.

4 Q And then did you bring your son [REDACTED] with you at the  
5 time?

6 A Yes, I did. There was a period in time, I can't  
7 recall the exact date where I actually asked my mother to  
8 please come and fetch my son. I didn't tell her what was  
9 going on but I think she knew and she didn't want to ask,  
10 but I asked her to please come and fetch my son. I didn't  
11 tell her this, but I felt it necessitated to have him in a  
12 safe place and I didn't feel he was safe in Joe's home  
13 with a lot of the things that was happening to me.

14 There was oftentimes Joe was teasing me and my  
15 son was in the room and I didn't want my son around that.  
16 My mother came to fetch my son and he stayed with her for  
17 a couple months until a period thereafter. My mother  
18 wasn't coping, so she had to bring him back.

19 Q While you were pregnant in Long Island, how did  
20 Mr. Valerio treat you?

21 A I found during my pregnancy the abuse got worse. He  
22 would say things to me like why don't you get an abortion,  
23 or why don't you fall downstairs and die.

24 And during my pregnancy I remember two  
25 incidents. One was when I was seven months pregnant where

1 he was sleeping in the spare room because I wasn't having  
2 sex with him and that frustrated him and he came into the  
3 room one night and he ripped covers off and started to  
4 scream obscenities and went back to the spare room. So I  
5 followed him to try to speak with him. I got back into  
6 the room, and I don't recall what was said, but he got up  
7 and slapped me across the face I fell to the floor and I  
8 split the inside of my lip open and I ran back and got  
9 back to the room.

10 There was an incident a month thereafter where I  
11 was sleeping and he came into the room and he just climbed  
12 on top of me and tried to force me to have sex with him  
13 and I asked him to stop and I was crying, was telling him  
14 to please stop and he had his hand on my throat choking me  
15 and started punching me and hitting me. I told him to  
16 stop and eventually he stopped and got off me and left the  
17 room. I didn't know what to do about that. I was scared.  
18 So I just stayed in the room.

19 Q You gave birth to [REDACTED] about a month later?

20 A Yes, in April of '09.

21 Q After [REDACTED] was born, did Mr. Valerio's treatment get  
22 any better?

23 Did he treat you better?

24 A Not at all, no.

25 I remember there was a time when I was laying in

1 bed with [REDACTED] in my arms and Joseph came into the room  
2 and there was a bassinet next to the bed. When I saw him  
3 coming for me my first instinct was to put my child out of  
4 the way not to get her hurt. Joe jumps on top of me and  
5 started to bang my head against the headboard and hit me  
6 in the head and tried to rape me, telling me I must open  
7 my legs.

8 And when I was breast feeding my child in the  
9 lounge one evening, he always made it very clear to me  
10 from the beginning, before [REDACTED] was born, he said to me  
11 you will bottle feed the child; you will not breast feed.  
12 I said no, I believe that breast feeding is best for the  
13 child, but he was very averse to it. He didn't want me to  
14 breast feed my child, but I did.

15 Q Did he say why?

16 A No.

17 Q Did you have an understanding as to why?

18 A Not really. I felt that perhaps he was jealous of me  
19 giving that kind of attention to my child, but as a mother  
20 I feel it is necessary and I'll do what is best for my  
21 child.

22 I remember one evening I was sitting on the  
23 couch in the lounge breast feeding my daughter and he was  
24 sitting in the chair next to me and he had a coke can in  
25 his hand and he had a very angry look in his eye. For no

1 reason he stood up and threw the coke can in my head which  
2 was still full and it splashed all over the wall and  
3 splashed over me, so I ducked and it didn't hit my head  
4 but the wall behind me. He picked it up and he threw it  
5 back again and it made a big dent in the wall, saying he  
6 didn't sign up for this and he stormed upstairs into his  
7 office and he stayed there.

8 Q Other than what you've described -- withdrawn.

9 That summer, a few months after [REDACTED] was born,  
10 did Mr. Valerio's mistreatment of you continue?

11 A Yes, it did. There were many, many incidents. There  
12 are only some that I can recall in more detail than  
13 others.

14 I remember that he had taken his son to karate  
15 one evening and [REDACTED] was at home with me and I was in the  
16 kitchen when he came home and he started to argue with me  
17 about me wanting to go home and see my mother. And so I  
18 went and put [REDACTED] down and I went downstairs to the  
19 computer because I thought there must be a way for me to  
20 get out of this, there must be a way for me to leave, and  
21 he followed me downstairs. As I sat down, he pulled the  
22 chair under me and I fell out on the floor and he tried to  
23 grab me. I figured he would hurt me. He took me up the  
24 stairs and I was trying to get away, and I did.

25 I went upstairs to the office and I grabbed one

1 of the house phones and as I was running down the passage,  
2 he grabbed the phone out of my hand. I don't know if the  
3 phone fell apart or broke. I remember the pieces came  
4 out, the battery fell out.

5 I was trying to call 911. The call didn't go  
6 through.

7 I ran into the bedroom. And then he didn't  
8 follow me, except shortly thereafter he saw me coming in  
9 the room and saw me packing my suitcase. He saw I was  
10 packing my bag. He came to apologize. He said he was  
11 very sorry, he didn't mean it. He wants me to stay. If I  
12 want to go, I can go. And then there was a knock on the  
13 door.

14 I went downstairs to answer and I thought it was  
15 the police. I realized the 911 call went through, even  
16 though I didn't speak to anybody. And he came downstairs  
17 and he went into the TV room where [REDACTED] was.

18 I let the police into the door and I went into  
19 the kitchen with him, and Joe came into the kitchen. We  
20 were all standing there together.

21 There were two policemen. And the one who never  
22 said a word, the one who didn't speak to anybody about  
23 anything, and there was the other one who did all the  
24 talking.

25 He asked me what is the problem? Why did I

1 call? I said well, I was afraid that our argument was  
2 going to escalate into something worse, which it did.  
3 Then the policeman said you probably provoked it and did  
4 you make him do something that made him angry. I was  
5 stunned.

6 Joe, although he always told me nobody was going  
7 to care, nobody was going to help me, now this policeman  
8 is standing there accusing me like I deserved this or I  
9 had done something to deserve this and what was he going  
10 to do with me, and I was stunned. I didn't think what he  
11 said was true: No one would care. Nobody was going to  
12 help me.

13 Q That summer, was Mr. Valerio's mistreatment of you  
14 limited to incidents within the home itself or were there  
15 other incidents outside of the home?

16 A Well, there was always a situation where you know if  
17 I wanted to leave he would threaten me. If I wanted to go  
18 home, he would always tell me no, you can't leave, and if  
19 you do and you don't come back, I'll send someone after  
20 you. I believed him. I didn't.

21 He had the financial means to do that and I was  
22 terrified of him.

23 Q Was there any incident outside of the home that  
24 specifically stands out in your mind from that summer?

25 A This was now on my third trip. My daughter was, I



1 would say, very, very young, can't say how old she was,  
2 and his son decided he wanted to go to some kind of a  
3 concert. So he thought, okay, let's take [REDACTED] to stay  
4 with his mother, Joe's mother, and we'll have an evening  
5 out. So we took the child to his mother and we got into  
6 the car and we left, and down the road he changed his  
7 mind. We hadn't gone a few blocks. No, he has to fetch  
8 Andre, his daughter.

9 So he turned around, went to fetch [REDACTED] and put  
10 her in the car. We left. I was upset. I was really  
11 looking forward to go out. We didn't go out often and he  
12 got so angry with me and told me I was an ungrateful  
13 bitch. Another woman would be more grateful.

14 He hit me, and I put my arm up to move his arm  
15 away, and I hit his hand back, and he just grabbed my hair  
16 because I had very long hair at the time and hit my head  
17 against the window and dashboard and he was screaming at  
18 me, screaming at me, insulting me.

19 We ended up driving. I didn't know the places  
20 very well at the time because I didn't go to these places  
21 before, and we were driving down this very long road which  
22 seems like there was a beach and a lot of bushes on one  
23 side and beach on the other side, and we drove up this  
24 long, long road. There was a tall building on the end of  
25 the road, looks like a needle of a tall building, and we

1 continued back down the road in the opposite direction.

2 He pulled over into this dark parking area,  
3 looks like a parking space but it was very bushy with a  
4 lot of growth. He said to me this is a nice dark place to  
5 leave you. Tonight you are going to die. And he said  
6 that with such conviction, I really believed him.

7 When he stopped the car I opened up my seat belt  
8 and jumped out. I didn't know where I was going to run to  
9 but I had to leave. I went to the back of the car to open  
10 the door for my daughter and as I was doing that the front  
11 door of the car was open and the car door knocked me over  
12 and I fell into the ground and I was a little disoriented.  
13 And I stood up and I saw the car reverting towards me, and  
14 I looked over to my right and I saw there was a car parked  
15 in the bushes and the back lights were very dim so I  
16 thought somebody was in the car and I started screaming  
17 for help.

18 Joe came and he had put his hand on my mouth.  
19 Just shut up, shut up. He threw me in the front of the  
20 car, closed the door, and he got in the car and he drove  
21 off.

22 I didn't know what to say. Didn't know what to  
23 do, and he just drove me home.

24 Q Did you stay at Mr. Valerio's house or did you move  
25 out that summer?

1       A       I stayed at his house. The only time I moved out was  
2       when I when to the shelter, the women's shelter. After  
3       the police incident I left. What I did was I actually  
4       went downstairs to find a place to go and I found this  
5       women's shelter and I phoned them, and they said to me  
6       pack a bag, we'll send the police to fetch you.

7               The next morning when Joe left, I don't know  
8       where he went, he went to work, these people came to fetch  
9       me and took me away. After that he convinced me to come  
10      back.

11             The conditions were where I was were not  
12      comfortable. I've never been in a situation like this. I  
13      didn't feel safe or comfortable, and he was very  
14      convincing.

15             Things would change, things would be better, and  
16      I wanted to believe him. He said all right, if I feel  
17      safe, I can live in the house in Water Mill again. So I  
18      had two lady friends from the shelter, one had a car that  
19      drove my daughter and I back to the house in Water Mill  
20      and I stayed there for a while. That was the only time I  
21      moved out, but he convinced me to move back from the house  
22      in Water Mill to Smithtown because in Water Mill I was  
23      isolated, I didn't have the car, didn't have the amenities  
24      we had in Smithtown. The mall was so far away, if I  
25      wanted to walk, it would take me an hour or an hour and a

1 half to get food or something. That's where I stayed for  
2 the remainder of the time.

3 Q So our record is clear, it sounds to me like right  
4 after that police incident you described, shortly  
5 thereafter, you moved out?

6 A Yes, that next day I moved out into the shelter, it  
7 was the next morning.

8 Q What was the name of the shelter you moved to?

9 A Brighter Tomorrows.

10 Q How did you find it?

11 A Found it on the internet. I was looking for a way to  
12 find help for women, abused women, and this shelter came  
13 up and I found this.

14 Q How long did you spend at Brighter Tomorrows'  
15 shelter?

16 A Couple weeks at most.

17 By that time Joe contacted me and convinced me  
18 to go back to the house in Water Mill.

19 Q Now, then you went from the house in Water Mill to  
20 the house in Smithtown?

21 A Correct.

22 Q Did you have during the time that you were living  
23 with Mr. Valerio, whether it was the Water Mill residence  
24 or the Smithtown residence, did you have regular access to  
25 communication, vehicle, that sort of thing, outside

1 contact?

2 A No. You see he kind of wouldn't let me have any  
3 contact with people. I wanted to try to make friends. I  
4 wanted to join a gym or go to a book club or go to the  
5 library or partake in some kind of social activity, meet  
6 people, play tennis, or do the things I enjoy doing but he  
7 wouldn't allow it.

8 There was an incident where he said to me, you  
9 know, maybe you should find a site on line where couples  
10 can meet couples and I found that strange where he  
11 wouldn't let me have my own friends. "That isn't what I  
12 want to do." "Then you don't deserve to have any friends,"  
13 he said.

14 At one point in time when I was still living at  
15 the Water Mill home, he said he was going to buy me a car.  
16 So he bought a Mercedes, black Mercedes, and told me it  
17 was my car but he controlled it. He wouldn't let me drive  
18 when I wanted to drive it. If I wanted to go someone he  
19 would ask me how long I was going to be.

20 There were a few times I recall him writing down  
21 the mileage and checking it to see how far I would be and  
22 time me to see how long I had been away.

23 There were phones in the house. I was able to  
24 call my mother but he would monitor that, monitor who I  
25 called, how long I spoke to them for, and there was a

1 point in time where he gave me use of the cell phone but  
2 he would always take it away again.

3 I remember he gave me a Samsung phone to use but  
4 I received a call from a girl in Romania, she was looking  
5 for Joseph. I'm sorry, this is his phone, but this is my  
6 number, can I help you? And she put the phone down. So I  
7 did a search on the number to see where the number had  
8 come from and I saw it was from Romania.

9 I asked Joe about it. He became very defensive  
10 and he took the cell phone away from me and didn't give me  
11 the use of the cell phone until sometime after that.

12 Eventually he bought me a BlackBerry. It was  
13 only in use for a short period of time and then he  
14 wouldn't pay the account and they would connect it and  
15 disconnect it.

16 If he left the house he would take the car keys  
17 with him so I couldn't take the car and go anywhere.  
18 Sometimes he would take the phones with him and I would be  
19 left without a phone. He would lock me in the house. I  
20 remember both at the the Water Mill house and the  
21 Smithtown home, the blinds were always closed, bedroom  
22 door always had to stay closed because he didn't want  
23 anybody to see anything going on in the house.

24 So the blinds in the lounge, for example, had to  
25 face a certain way. If they faced the other way the

1 neighbors might see something in the house. If there was  
2 a noise in the house nobody could hear because he wanted  
3 me to keep the doors close.

4 There were occasions I wanted lights in the  
5 house so I opened the blinds and opened the doors and he  
6 would become very angry at me closing the doors and  
7 blinds.

8 Q Shortly before you departed the United States on your  
9 third trip, were there any incidents that you could recall  
10 that caused you to leave?

11 A Yes, there were two in particular.

12 Q Tell us about that?

13 A The one was, we had gone out for an evening. I was  
14 all dressed up, beautiful dress on, fur coat. I know he  
15 loved the evening out and it was all going very well.

16 On our return home he pulled into a gas station  
17 to put fuel in the car. As he drove out he drove out  
18 going the wrong way down a one way. It was a very short  
19 way, okay, he could zip out and go to the main road.

20 There were two police officers and they pulled him over,  
21 two female police officers. They stopped him. One came  
22 to his window the other came to my window shining the  
23 lights in the car. I could see from the look on her face  
24 she was concerned. She didn't know what the situation  
25 was, but I was uncomfortable because I in the back of my

1 mind knew this was going to upset Joe and I was concerned  
2 what would happen when we got home. Even though I didn't  
3 do anything, the situation would anger him.

4 I recall him saying something about these two  
5 lesbians and it made him very angry when they were done.  
6 I'm not sure whether they gave him a ticket or not, I  
7 think they did, and we left. He didn't speak to me, but  
8 he kept driving down this long road which again had a  
9 beach on the one side and bushes on the other. He made a  
10 U-turn through the middle island, turned around, and  
11 pulled over into a parking lot where I remember seeing  
12 like a beach area. There was a building but not houses.  
13 I could just see water. And he got out of the car and  
14 while we were driving there, I remembered he grabbed my  
15 hair. I was wearing my hair down, and he grabbed a  
16 handful of my hair and he was screaming at me and  
17 insulting me and smashing my head on the dashboard and  
18 wouldn't stop and pulled out hand fulls of my hair.

19 When we got to the beach area he let go and came  
20 out and came around to my side of the car and ripped my  
21 dress to pieces. I was wear stockings at the time and he  
22 ripped those and raped me. He was screaming at me as he  
23 was doing that. I was crying and when he was done I just  
24 gathered my dress and coat and scrambled back into the  
25 vehicle and he went around to the front side of the car



1 where the driver's side is and he just sat there for a  
2 good five minutes, said nothing. He started the car and  
3 we drove home.

4 I remember his mom and sister and family were  
5 there baby-sitting because the children were there, and I  
6 just went up into the room with my torn dress and hair,  
7 and he went and he cleaned the house, and I didn't see him  
8 until the next day.

9 Q You mentioned there was another incident as well that  
10 caused you to leave?

11 A Yes, I think it was November of '09. Joe was in his  
12 office. He spent a lot of time in his office, and when he  
13 is he leaves the door is always closed. Sometimes it was  
14 small opened, but not enough that I could see what was  
15 going on in there. I would always have to knock.

16 Q -- The home office?

17 A It's a home office in the Smithtown home.

18 MR. KABRAWALA: Continue. I'm sorry.

19 THE WITNESS: Okay.

20 And I remember knocking on the door. I brought  
21 him something. I don't remember if it was something to  
22 drink or eat, but I knocked and pushed the door open. He  
23 quickly stood up from his computer and switched the screen  
24 off and got right in my face and stood very, very close to  
25 me and asked me what is it that I want? I said I brought

1     you something, and then the next thing he put his hand  
2     around my throat and started choking me. I said you're  
3     choking me. He said something to me, and I remember  
4     saying you are behaving with an animal.

5             The next thing I remember I was laying on the  
6     floor face down in the passage. And he was sitting next  
7     to me saying, owe, God, what have I done. What have I  
8     done.

9     Q     What had happened?

10    A     He punched me in my face and I lost consciousness and  
11    I felt pain in my mouth. In the passage there is a glass  
12    cupboard with lozenges and I turned around and looked what  
13    had happened and there was blood in my mouth and I saw he  
14    punched my teeth. He had punched my teeth into my mouth.  
15    They were broken.

16            I stood up and went to the bathroom and I was in  
17    so much pain, all I knew I had to save my teeth. It was  
18    so painful I tried to bear it. I tried to push my teeth  
19    back as much as I could and I went back to the bedroom. I  
20    was so scared I didn't know what to do.

21            Joe left me alone the rest of the night.

22            The next morning, I said, please, I need to go  
23    to see a dentist. He said okay. He said to me, let me  
24    make it clear to you, if you tell somebody what happened  
25    and if I go to prison for what I did, I'll get out and

1 I'll kill you. He said, what you will tell them, you will  
2 tell them that you were playing with the children in the  
3 house and somebody was waiting around the corner with a  
4 baseball bat and accidentally hit you in the face. That's  
5 what I did.

6 He took me to the dentist and she couldn't help  
7 me. You need to go to a surgeon.

8 So she referred me to a surgeon in Commack and  
9 we went there, and Joe gave me a blank check and said to  
10 me, just get your teeth fixed. So the surgeon helped, put  
11 some kind of brace on, pushed the teeth back in for me,  
12 and I went into the reception to write out the check and  
13 said it would cost \$2,000. So I told Joe, to let him know  
14 and he said that's a lot of money, I'm not paying that to  
15 fix your face, and I wrote the check out anyway and I gave  
16 her the check, and then I went home.

17 So when I went home, about two weeks later I had  
18 to go for a follow-up visit, but Joe didn't want me to go  
19 back to the same surgeon, so he found a family dentist out  
20 in Smithtown and I went there and he took the braces off  
21 for me and did a check-up to make sure everything was  
22 okay.

23 My teeth have never been the same. I'm been  
24 struggling with episodes where I would have to be on  
25 antibiotics medication and I've asked, you know, Joe and

1 his mom to please help to fix my teeth properly because my  
2 dentist said I need root canals done and crowns on my  
3 teeth, otherwise the problem will never go away. It was  
4 very expensive and I never had that done. That was the  
5 point I realized if I didn't leave I didn't know what  
6 would happen to me next.

7 I had to think about my children. If something  
8 happened to me, they will be left without a mother.

9 Q Before you left, did you seek custody of your  
10 daughter [REDACTED]?

11 A I did, yes.

12 When I was in the women's shelter they stated to  
13 me, they advised me to get a restraining order and seek  
14 custody of my daughter. I went through the process of  
15 applying for that, but what happened was because Joe had  
16 convinced me to come back and because of my experience  
17 with the law, with the police, it didn't help me. I  
18 didn't think that I stood a chance of ever being able to  
19 get away or to get custody of my daughter because Joe was  
20 telling me, no, he'll get the best attorneys and he'll  
21 take the best attorneys, and I'm not working.

22 I felt the best option was to go home with my  
23 child, which I did.

24 Q And I just want to show you a copy of what has been  
25 marked at 3500-AD-3 as in alpha delta-3.

1           Do you recognize this document as a custody  
2     petition that you submitted to a court in Long Island?

3     A     Yes.

4     Q     And why don't you thumb through it and a tell me if  
5     that is an accurate copy that you provided to the  
6     government?

7     A     Yes, it is.

8           MR. KABRAWALA: Your Honor, the government moves  
9     to introduce Government's Exhibit 3500 AD-3 into evidence.

10          MR. LATO: No objection.

11          THE COURT: AD-3 is admitted.

12          (Whereupon, Government Exhibit AD-3 was received  
13     in evidence.)

14     Q     Is it fair to say that you documented instances of  
15     abuse in this family court petition?

16     A     Yes, I did.

17     Q     Now, I want to turn back to -- withdrawn.

18           At some point you went back home to South Africa  
19     and that was in March of 2010?

20     A     Yes, I did. It was the 9th of March. I went back  
21     home.

22     Q     The 9th of March?

23     A     Correct.

24     Q     You went back and -- withdrawn.

25           Did you tell Mr. Valerio that you would be back?

1 A Yes.

2 What had happened was I wasn't allowed to leave  
3 the country with my daughter without Joe's permission  
4 because he's on her birth certificate and I know according  
5 to the International Hague Convention you can't take a  
6 child out of the country without the parent's permission  
7 because of the child abduction laws, and I knew I wouldn't  
8 be able to leave with her without his permission. I  
9 didn't have a choice but to stay.

10 Eventually he did let me leave but made me  
11 promise I would come back. He threatened me. I've got  
12 people there. They will come and fetch you.

13 At this point I pretty much believed a lot of  
14 what he told me, and in March he let me leave with my  
15 child and I went back home.

16 I had, however, told Joe I was going to come  
17 back and I knew I had to tell him that because he would  
18 send somebody after me or come after me, something would  
19 happen. I really didn't want to come back. I had to tell  
20 him I was and I had to make him believe that because I was  
21 terrified of him sending somebody off and coming back to  
22 me hurting my family or hurting somebody.

23 Q I want to show you what has been marked as  
24 Government's Exhibit 15. You could probably see it on  
25 your screen up there. There is a screen right to your

1 right over there.

2 A Oh, yes.

3 THE COURT: Any objection to Government's  
4 Exhibit 15.

5 MR. LATO: No, your Honor.

6 THE COURT: Government's Exhibit 15 is admitted.

7 (Whereupon, Government Exhibit 15 was received  
8 in evidence.)

9 Q Can you please read it to yourself and let me know  
10 when you are done reading it?

11 A I'm done.

12 Q I want to ask what impact, if any, the following --  
13 withdrawn.

14 Is it fair to say this is an e-mail from the  
15 e-mail address joeval5@optonline.net to your e-mail  
16 address?

17 A Yes.

18 Q And it is from October 4, 2010?

19 A Yes.

20 Q So at this point you would have been back in South  
21 Africa?

22 A I was at home with my mother.

23 Q You were testifying about statements that Mr. Valerio  
24 had made to you.

25 Tell me what impact, if any, the following

1 statements had on your decision to tell Mr. Valerio that  
2 you would come back, but in fact you had no intention of  
3 coming?

4 "I will come get my daughter, you fuck. Watch  
5 what will happen. All your fucking games you will play  
6 for her. She'll be taken from you, cunt.

7 What impact did that have on you?

8 A It reaffirmed everything that was said before and it  
9 made me aware he would come after me. I had to convince  
10 him that I was coming back so he wouldn't come after me  
11 and take my child away from me.

12 Q You did come back at some point in January of 2016,  
13 correct?

14 A Correct.

15 Q And when you came back, you were met by my colleague,  
16 Special Agent Steven Troyd of the FBI, correct?

17 A Yes, he met me at the airport when I arrived. Met me  
18 at Secondary in Customs.

19 THE WITNESS: It's the pronunciation thing.

20 Q You mean like an interview room at the airport?

21 A Yes, yes.

22 Q I want to show you what has been marked as  
23 Government's Exhibit 1. It has what we call Bates  
24 numbers. Basically just numbered at the bottom and it is  
25 D [REDACTED] e-mail 001 through D [REDACTED] e-mail 155.



1           Just thumb through that and let me know if this  
2           is a set of e-mails you provided to Special Agent Troyd  
3           when you arrived in the United States in January of 2016  
4           at his office at the FBI?

5           A     Yes, these are e-mails that I had saved on my e-mail  
6           account that Joe had sent to me over the years that I  
7           kept, and I had printed these for Agent Troyd at his  
8           office.

9           Q     Are those all true and correct copies of the e-mails  
10          you printed for Special Agent Troyd?

11          A     Yes.

12               MR. KABRAWALA: The government moves to admit  
13          Government's Exhibit 1.

14               MR. LATO: Just one question. May I have one  
15          moment, please?

16               (Counsel confer.)

17               MR. LATO: Your Honor, no objection.

18               The only thing I mention, given it is about 150  
19          pages, we'll not go through all of it here, but  
20          technically it's in evidence, so this may require either a  
21          summary witness or for us to write about it after the  
22          fact, but no objection.

23               THE COURT: You can talk about that later.

24               Exhibit 1 is admitted.

25               (Whereupon, Government Exhibit 1 was received in

1 evidence.)

2 MR. KABRAWALA: Thank you. Just one moment,  
3 your Honor, with the Court's indulgence.

4 (Counsel confer.)

5 MR. KABRAWALA: May I stand next to the witness  
6 and go through the binder with her?

7 THE COURT: Yes.

8 MR. KABRAWALA: Thank you.

9 Q I want you to take a look at Government's Exhibit 2.

10 Actually, before I show it to you, do you recall  
11 the name of the dentist that you visited here on Long  
12 Island?

13 A I remember the first one when I went to a Deborah  
14 Adams. After that I don't recall the name.

15 The third dentist, the followup visit, it was a  
16 family dentistry in Smithtown, I don't recall the name  
17 offhand but I did provide the information to the FBI  
18 because I had found a dental card, a medical card that I  
19 had and when I followed up on the details the dentist's  
20 information was there.

21 Q Now I'm showing you what has been marked as  
22 Government's Exhibit 2. Thumb through this and let me  
23 know whether this is familiar and whether they are your  
24 statements and whether this is Deborah Adams that you are  
25 referring to. Not the first page which is a declaration.

1 A (Perusing.)

2 Yes, this is a form, one of these admission  
3 forms, and what I told her happened to me.

4 MR. KABRAWALA: Your Honor, given the witness'  
5 corroboration of the statements in the document and given  
6 the declaration of the custodian of records, the  
7 government moves to admit this document into evidence as  
8 self-authenticating.

9 MR. LATO: No objection.

10 THE COURT: Exhibit 2 is admitted.

11 (Whereupon, Government Exhibit 2 was received in  
12 evidence.)

13 Q I'm showing you now what has been marked as  
14 Government's Exhibit 3. It is a multipage document.

15 Take a look at it and let me know whether it  
16 looks familiar to you or whether it refreshes your memory  
17 about where you went to seek dental care.

18 A I recognize the name of the doctor that I went to  
19 see, Eric Baum.

20 Yes, this is a form, again, an admission form I  
21 filled in when I went to the dentist for a follow-up visit  
22 in Smithtown, the family dentist.

23 Q Do the statements contained in that record reflect  
24 what you told the doctor in connection with your dental  
25 care?

1 A Yes, the medications I got from the surgery,  
2 penicillin, the hydrocodone, yes.

3 MR. KABRAWALA: The government moves to admit  
4 Government's Exhibit 3 for the same reasons it outlined  
5 for Government's Exhibit 2.

6 MR. LATO: No objection, for the same reason.

7 THE COURT: Government's Exhibit 3 is admitted.

8 (Whereupon, Government Exhibit 3 was received in  
9 evidence.)

10 MR. KABRAWALA: Your Honor, the government --  
11 there's nothing further at this time.

12 THE COURT: Okay. Why don't we take a 15-minute  
13 break.

14 MR. LATO: Thank you.

15 (Whereupon, a recess was taken.)

16 THE COURT: Please be seated.

17 Go ahead, Mr. Lato.

18 CROSS-EXAMINATION

19 BY MR. LATO:

20 Q Good afternoon. Is it Ms. D [REDACTED]? I don't know if  
21 I'm pronouncing it correctly.

22 A D [REDACTED].

23 Q D [REDACTED]?

24 A Yes.

25 Q Now, Ms. D [REDACTED], were you in the United States,

1 specifically in Long Island, in January of this year?

2 A Yes, I was.

3 Q And did you go to the house of Frances Valerio, who  
4 is in the courtroom?

5 A Yes, I did.

6 Q Do you remember that night something to the effect  
7 that additional child pornography was found?

8 A Yes, something came to light about this.

9 Q At this point you knew that Mr. Joseph Valerio had  
10 been convicted and was in jail, correct?

11 A Correct.

12 Q And in fact sometime this year did you go visit him  
13 at the Metropolitan Correctional Center?

14 A Yes, I did.

15 Q Do you remember when that was?

16 A That was shortly after I arrived. I think it was the  
17 next day, if I remember correctly, but it was on my trip  
18 here to see Frances Valerio and the next morning I went to  
19 visit Joseph in prison.

20 Q This was in January of this year?

21 A Yes.

22 Q Was that before or after the new child porn was found  
23 that you visited him in prison?

24 A I'm not sure. I mean I remember when I came to see  
25 him, it was on my trip here, second day.

1 Q Did you go alone to the MDC or did someone go with  
2 you?

3 A No, I went with Frances and my daughter.

4 Q Did you actually bring your daughter, is that

5 [REDACTED] --

6 A [REDACTED]

7 Q -- In the MDC to see Joseph?

8 A Yes, I did.

9 Q How old was [REDACTED] at the time?

10 A She's seven.

11 Q And you were aware of the charges that Mr. Valerio  
12 had been convicted of and you brought your daughter in,  
13 correct?

14 A To some degree, yes.

15 Q Now, is there a reason that you came to the United  
16 States to see Frances Valerio?

17 A Yes.

18 Q Is there a reason that you went to the jail to see  
19 Joseph Valerio in January of this year?

20 A Yes, there is.

21 Q Was the reason, that you wanted to get money out of  
22 Frances Valerio?

23 A No, absolutely not.

24 Q In the year 2015, did Frances Valerio wire transfer  
25 you money at any time?

1 A Yes. Yes, she did.

2 Q Is it fair to say that she wire transferred money to  
3 you several times during 2015?

4 A Yes.

5 Q It would be a fair statement she wire transferred you  
6 approximately \$31,265 in 2015. Is that a fair estimate?

7 A That sounds fair, yes.

8 Q Okay. Now, given all the terrible things that  
9 Mr. Valerio did to you, you still wanted to go visit him,  
10 correct?

11 A I didn't want to but I did go, yes.

12 Q Well, did anyone force you to go visit him at the  
13 jail?

14 A No, not really. No.

15 Q When you say not really, was there a little bit of  
16 force or there wasn't any at all?

17 A There was a little bit.

18 Q Now, did anyone force you to visit Frances Valerio?

19 A No, not really. Again, just a little bit. That's  
20 it.

21 Q Throughout 2015, were you e-mailing Frances Valerio  
22 and was she e-mailing you?

23 A Yes, we were in communication via e-mail, yes.

24 Q Now, remember about an hour or so ago, the government  
25 introduced an exhibit, 3-D. Do you remember seeing this

1 about an hour ago?

2 A Yes.

3 Q And do you remember when Joe Valerio wrote this to  
4 you, right?

5 A I remember the events. I just don't remember the  
6 date.

7 Q Basically, it speaks for itself how he said that you  
8 fucked up big time. Now I see the neighbor in their  
9 backyard and you put on a show, motherfucker. That's what  
10 he wrote to you?

11 A Yes.

12 Q And you saved this note?

13 A Yes, I did.

14 Q And without telling me the reason, was there a reason  
15 that you saved it?

16 A Yes.

17 Q Now, do you remember speaking to Special Agent Troyd  
18 this year a couple of times?

19 A Yes.

20 Q Did you tell him in substance that when Joe wrote  
21 this note or something to the effect, that you found this  
22 odd, his behavior odd?

23 A Yes.

24 Q Now, did this note come before or after he had raped  
25 you?



1 A Before.

2 Q Now, did you think it was odd that Mr. Valerio  
3 thought that you were putting on a show for the neighbors,  
4 given what he had already done to you?

5 A I'm sorry?

6 Q Prior to him writing this note, he had raped you  
7 before?

8 A Correct.

9 Q Did it seem odd that a guy who had done this would  
10 write this note?

11 A Not really, no.

12 Q Now, it would be fair to say that before you lived  
13 with Joe, you dated a few times, correct?

14 A No, because --

15 Q Go ahead.

16 A I only met him when I arrived at the United States  
17 the first time, so I had to live with him from when I  
18 arrived in the United States in February of '08.

19 Q Now, you met him through an on-line dating site?

20 A Yes.

21 Q Were you looking specifically for American men?

22 A No.

23 Q Is this the first American man that you met?

24 A Yes.

25 Q Now, was he nice to you the day you met?

1 A Yes, it he very nice.

2 Q So is it fair to say he was nice to you at least a  
3 little bit?

4 A Yes.

5 Q And he started to change; is that correct?

6 A Yes.

7 Q Would it be fair to say in the course of a day or  
8 week he would be good and suddenly bad, correct?

9 A Yes.

10 Q By the way, was this the only American man that you  
11 had met when you came to the U.S. and stayed with  
12 Mr. Valerio?

13 A When I stayed with him, yes.

14 Q Now, after Mr. Valerio was in prison in this case,  
15 how often did you and Frances Valerio, his mother, write  
16 each other through e-mail?

17 A I think it would be fair to say twice a week, maybe  
18 once a week.

19 Q In spite of everything that Mr. Valerio had done to  
20 you, did you write to Mrs. Valerio, the mother: I think  
21 of Joe every day and pray for your, Mrs. Valerio's,  
22 comfort?

23 A Yes.

24 Q Now, during this period of time she was sending you  
25 money, correct?

1 A Correct.

2 Q Were you also sending her pictures of kids?

3 A Of me and my children, yes.

4 Q Now you needed this money from her, correct?

5 A For child support.

6 Q And for rent also, correct?

7 A Yes.

8 Q And basically what you were really doing was that you  
9 were trying to convince them that you actually cared for  
10 her and Joe and to get money out of her, and not that they  
11 were stupid?

12 A No.

13 MR. KABRAWALA: Objection.

14 THE COURT: Sustained.

15 Q Did you write to Mr. Valerio while he was in jail  
16 through e-mail?

17 A I did, yes.

18 Q Did you write to him to keep this line of  
19 communication open?

20 A Yes.

21 Q While you were writing to him, was Frances Valerio  
22 also sending you money?

23 A Yes.

24 Q When was the last time you e-mailed Frances Valerio?

25 A From what I recall, in January of this year.

1 Q When was the last time she sent you money?

2 A I think it was February, January or February of this  
3 year.

4 Q Of this year?

5 A Yes.

6 Q More or less the ending of the e-mails and the ending  
7 of the money happened about the same time or a month  
8 apart?

9 A Yes, that would be correct.

10 Q In December of 2010, were you in the United States or  
11 were you in South Africa?

12 A 2010. I left in March of 2010.

13 Q Were you and Joseph Valerio e-mailing each other?

14 A I think so, yes.

15 Q And in fact on or about December 1st of 2010, while  
16 you were in South Africa, did Joseph Valerio send you an  
17 e-mail saying in substance, you fucking obey me, bound in  
18 chains before me. Hail, Cesar.

19 A Yes, he did.

20 Q At this point did you say there is something  
21 seriously wrong with this guy?

22 A I did, yes.

23 Q And you continued to e-mail him after that, correct?

24 A Correct.

25 Q And during this time was Frances Valerio sending you

1 money a month or so before or after?

2 A In 2010?

3 Q Yes.

4 A No.

5 Q Now, notwithstanding the Hale Caesar e-mail every now  
6 and then Joe Valerio would send you a nice e-mail,  
7 correct?

8 A Yes, he did.

9 Q So he had go back and forth between good Joe and bad  
10 Joe, correct?

11 A Yes.

12 Q Now, about how many months in the Water Mill house  
13 was it before Mr. Valerio tripped you?

14 A It was very early on. I would say within a couple of  
15 weeks.

16 Q Did you find that odd that this guy who is so nice to  
17 you, all of a sudden tripped you?

18 A I did, yes.

19 Q Is there a reason why at that point you just didn't  
20 get up and leave and go back to South Africa and go  
21 somewhere else?

22 A Yes, there is a reason.

23 Q Now, was [REDACTED] living with you at the time?

24 A [REDACTED] was with us, yes.

25 Q Was Joe still good to [REDACTED] at that point when he

1 tripped you?

2 A Yes, he was.

3 Q At some point he was bad to [REDACTED] too, correct? He  
4 would insult him, correct?

5 A Yes.

6 Q But at times he was still good to you and [REDACTED]?

7 A Yes, he was.

8 Q But the bad Joe was coming out more and more as time  
9 went on, correct?

10 A Correct.

11 Q Now, remember at some point after Water Mill, did you  
12 return to South Africa before moving into the Smithtown  
13 residence?

14 A Yes.

15 Q And at this point had he ever done anything  
16 physically abusive to you other than tripping you?

17 A Yes.

18 Q He punched you, threw you on the floor?

19 A Yes.

20 Q Once you were away from this guy, is there a reason  
21 you came back to live with him again?

22 A Yes, there is.

23 Q Is the reason Mr. Valerio said he would come get you  
24 if you didn't come back?

25 A One of the reasons.

1 Q To your knowledge, was Mr. Valerio in the Marines?

2 A No.

3 Q Was he in the CIA?

4 A No.

5 Q The FBI?

6 A No.

7 Q Was he even a cop?

8 A No.

9 Q Did you actually believe he had the power to actually  
10 send people to South Africa to come get you?

11 A Yes, I did.

12 Q Now, you came back and you lived with him in  
13 Smithtown, correct?

14 A Yes, first Water Mill and then we moved to Smithtown.

15 Q And in Smithtown the abuse continued?

16 A Yes.

17 Q Were you surprised given what he had done before?

18 A No.

19 Q Do you remember, finally you called the police one  
20 day after an argument?

21 A Yes.

22 Q Would it be fair to say that that was the only time  
23 you ever called the police, correct?

24 A Yes.

25 Q And the argument was verbal only, correct, no

1 physical abuse?

2 A Yes.

3 Q Yet prior to that argument, Mr. Valerio had  
4 physically abused you many times, correct?

5 A Yes.

6 Q Yet on those prior occasions you never called the  
7 police, correct?

8 A I tried, but no.

9 Q When you say you tried, did you actually pick up the  
10 phone?

11 A Yes, I did. I would pick up the phone and he would  
12 take the phone out of my hand.

13 Q When the police were finally there, did they give you  
14 an opportunity to write a statement about what had  
15 happened?

16 A I don't recall that, but they did ask me what  
17 happened.

18 MR. KABRAWALA: No objection.

19 MR. LATO: Well, okay.

20 Q Let me just show you Exhibit 3-A. Please look at  
21 that for a minute and let me know when you are done?

22 A Yes, I'm done.

23 Q Okay. May I have it back, please.

24 Thank you.

25 THE COURT: Did you say 3-A.



1 MR. LATO: Yes, your Honor.

2 Oh, I'm sorry. It's 3-B.

3 THE COURT: Okay.

4 MR. LATO: All right. I'm showing everyone  
5 Exhibit 3-B.

6 THE COURT: So the record is clear, we'll admit  
7 this into evidence.

8 MR. LATO: Yes, your Honor.

9 MR. KABRAWALA: No objection.

10 MR. LATO: Before I even move to admit,  
11 Mr. Kabrawala said there is no objection, if it's okay  
12 with the Court.

13 THE COURT: 3-B is admitted.

14 (Whereupon, Defendant's Exhibit 3-B was received  
15 in evidence.)

16 Q Ms. D [REDACTED], did I get it, right?

17 A Yes.

18 Q Is Exhibit 3-B the police report that was filled out  
19 when the police came to your house that night?

20 A Yes, correct.

21 Q I'm going to turn over to page 2.

22 Do you see where it says on the screen, it might  
23 be easier for you, Statement of Allegation Supporting  
24 Deposition and No Statement?

25 A Correct.

Owen M. Wicker, RPR

1 Q It's a fair statement now, you had the opportunity to  
2 give the police a statement but you declined?

3 A Yes.

4 Q Now, you testified on direct examination, please  
5 correct me if I'm wrong, that one of the reasons you  
6 didn't leave him is that you were embarrassed what you  
7 would tell people?

8 A No, that's not the reason I didn't leave. That's the  
9 reason I didn't tell anybody.

10 Q Okay. Could you have left him at any one of these  
11 times?

12 A In hindsight, yes.

13 Q And you could have left him and told no one, friend  
14 or anyone, just I don't like the guy, I'm done with him,  
15 correct?

16 A Correct.

17 Q And moved back to South Africa?

18 A Yes.

19 Q And ultimately that's what you did?

20 A Eventually, yes.

21 Q Now, was there an incident on a road by the beach  
22 where Joe was physically abusive towards you?

23 A Yes.

24 Q And in fact that happened twice, is that correct?

25 A Yes.

Owen M. Wicker, RPR

1 Q On one of the occasions, did you actually get out of  
2 the car and grabbed a child from the back seat?

3 A Yes.

4 Q [REDACTED]?

5 A Yes.

6 Q How old was she?

7 A I don't recall the age but she was small enough to  
8 fit into a car seat.

9 Q And while you were reaching in the back did  
10 Mr. Valerio move the vehicle before he knocked you over?

11 A I hadn't been able to. The back door wasn't opened.  
12 The front door was opened. So I hadn't been able to open  
13 the door yet before the car knocked me over.

14 Q Was it on this occasion or a subsequent occasion that  
15 he said he was going to kill you?

16 A On that occasion.

17 Q And you believed him, correct?

18 A I did.

19 Q Even though you believed he was going to kill you,  
20 you stayed with him, right?

21 A I did.

22 Q Now, when you were pregnant with [REDACTED], was it  
23 planned or was it an accident?

24 A No, it was unplanned.

25 Q Did he say some bad things to you when he found out  
Owen M. Wicker, RPR

1 that you were pregnant?

2 A He did, yes.

3 Q Did he say something to the effect or ask you why  
4 didn't you have an abortion?

5 A Yes, he said that to me.

6 Q Did you answer him?

7 A No, I didn't.

8 Q You didn't say anything like yes, you have a polluted  
9 gene pool but I'm not getting rid of this baby?

10 A No, I didn't want to provoke him.

11 Q When was the last time you e-mailed Mr. Valerio?

12 A Probably before I came to the United States on my  
13 previous trip in January.

14 Q Of this year?

15 A Yes, I think so.

16 Q And did you say things to him, for instance, in terms  
17 of his sentence, it's in God's hand now, I forgive you?

18 A Yes.

19 Q You really forgive him?

20 A I do.

21 MR. LATO: One second, please.

22 (Counsel confer.)

23 MR. LATO: Just about five more minutes.

24 THE WITNESS: Sure.

25 Q I wanted to confer with counsel to make sure I  
Owen M. Wicker, RPR

1 wouldn't leave anything out.

2 A Yes.

3 Q You testified on cross-examination over the last few  
4 minutes that there would be a good Joe and a bad Joe,  
5 remember?

6 A Yes.

7 Q Now, was there -- would it be a fair statement that  
8 anything could just set him off, correct?

9 A Yes.

10 Q In terms of the good things, even over the last few  
11 months of your relationship, was he good to you at times?

12 A Yes, there was. There were good days, yes.

13 Q For instance, one of the nights on the road to the  
14 beach beforehand, you had gone out to dinner, correct?

15 A We had gone on somewhere, yes.

16 Q The date he said something about the lesbian cop?

17 A Yes.

18 Q And you had a nice time at dinner, correct?

19 A Yes, we did.

20 Q And then all of a sudden, he just turned bad,  
21 correct?

22 A Yes.

23 Q Do you know what the types of things were, if there  
24 were any, that would just set him off to go from good to  
25 bad?

Owen M. Wicker, RPR

1 A No, I didn't. I couldn't explain it at any time what  
2 was making him angry. I never had an answer.

3 Q Well, in terms of going places, did you ever go  
4 anywhere alone?

5 A The only time I went somewhere alone, if I went to  
6 the store to get some groceries now and then or if I took  
7 my son for a walk at the Smithtown house, is the only time  
8 I was alone, as I recall.

9 Q Most of the time you were with him, if you were in or  
10 out of the house?

11 A Yes.

12 Q Well, did you ever think to yourself while you were  
13 living there, I'm not suggesting anything, what am I doing  
14 wrong? Why is he like this?

15 A Yes, I did think that sometimes.

16 Q Did you ever ask him what's going on here? What am I  
17 doing? Why do you treat me this way?

18 A Yes, I did ask him.

19 Q What did he say?

20 A He said to me I should do better. I should try  
21 harder.

22 Q Did he tell you try harder doing what?

23 A He didn't specify.

24 MR. LATO: One moment.

25 (Counsel confer.)  
Owen M. Wicker, RPR

1 MR. LATO: Just a few more questions.

2 Q Is it a fair statement that his mood could change  
3 from good to bad within a matter of seconds?

4 A Yes.

5 Q In other words, he would be happy and then all of a  
6 sudden he would be nasty?

7 A That happened a few times, yes.

8 Q To this day, you don't have any idea what set him  
9 off, correct?

10 A No, I don't.

11 MR. LATO: Nothing further.

12 MR. KABRAWALA: Very brief redirect, Judge.

13 REDIRECT EXAMINATION

14 BY MR. KABRAWALA:

15 Q Ms. D [REDACTED], you were asked about a police incident  
16 report?

17 A Yes.

18 Q That was Exhibit 3-B.

19 I'm showing it to you again.

20 A Yes.

21 Q You were also asked about the note statement on the  
22 second page?

23 A Yes.

24 Q Where was Mr. Valerio in relation to you when you  
25 were asked to give a statement to the police?

Owen M. Wicker, RPR

1 A He was with me in the kitchen with the two police  
2 officers.

3 Q And did Mr. Valerio's physical presence impact your  
4 decision to give or not give a statement to the police?

5 A Absolutely, yes.

6 Q Why?

7 A Because I was afraid that if I had given a statement,  
8 I didn't know what would happen to me later if I was at  
9 home with him. I thought it was better to leave it and  
10 pretend it didn't happen.

11 Q Ms. D [REDACTED], you were asked about your journey here  
12 to the United States in January of this year.

13 A Yes.

14 Q And why did you come back in January?

15 A For some time Frances had been e-mailing me asking me  
16 to please come and visit her with the children. She  
17 wanted to see the grandchildren.

18 Q Is it fair to say that series of correspondence  
19 lasted approximately a year?

20 A Yes.

21 Q Continue.

22 A I was in a situation where I have my two children at  
23 home with me. It's not easy for me to just pick up and  
24 leave and come here. I have to arrange for my kids to  
25 leave school for a certain period of time, to make

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1 arrangements for someone to care for the house when I was  
2 not there.

3 It was a process, because my daughter as part of  
4 South African law is required to travel on two passports,  
5 a U.S. and South African passport. There is a new law  
6 coming into effect. Certain documents have to be carried  
7 with me, originals, with an apostle attached, and I  
8 required those documents to travel with her. So all this  
9 takes time. I wasn't able to get up and leave and I  
10 explained this to Frances that it would take time. And  
11 the pressure became more apparent until eventually she  
12 told me while she doesn't have a year to wait, if the kids  
13 do not come now, she may not be around. So I thought she  
14 may be sick, she was dying or something. So that made me  
15 make more of an effort to come and see her.

16 Q While you were in the United States in January of  
17 this year, did you visit Mr. Valerio in prison?

18 A Yes, I did.

19 Q Why did you go?

20 A Well, my daughter was with me, [REDACTED], and she said to  
21 me, mommy, can I just see my father once because she never  
22 met him because when I left she was just under a year old  
23 so she has never known him. And my best friend at home  
24 has grown up her whole life never knowing what he looked  
25 like and I didn't want my daughter growing up like that.

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1 I thought if she could meet him just once in her  
2 life, that might be all she needs and also if something  
3 would happen to her.

4 I made the decision at the time it would be best  
5 for her to meet her father if she wanted. I made that  
6 decision.

7 Q Briefly, tell us about that encounter with  
8 Mr. Valerio at the prison.

9 A Frances and I and my daughter went into the waiting  
10 area where you visit and we were sitting down and Joseph  
11 and the other prisoners came in. And there is some kind  
12 of a card they have to hand into an officer there, I don't  
13 know what it is, but Joe didn't hand the card in and he  
14 made a beeline to hug me, and one of the officers grabbed  
15 him back and reprimanded him and he had to hand his card  
16 back.

17 Everybody sat down at the table and he greeted  
18 us and [REDACTED] looked at him and then she buried her face in  
19 my lap during the visit, didn't want to look up or speak  
20 to him.

21 One of the prison officers was looking up and  
22 down as if there was something wrong, if everything was  
23 okay. I nodded my head as if everything was fine. I just  
24 kept rubbing her back trying to keep her relaxed.

25 Joe's mom spoke a lot. Joe and I really didn't  
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1 converse much. He just felt it was necessary for him to  
2 tell me his reason why this happened and why he was there  
3 because nobody at this point had really spoken to me and  
4 told me what was really going on. And he gave his version  
5 of what had happened, and the rest of the time he spoke  
6 with his mother.

7 Q You were asked about payments that the Valerio family  
8 has made to you over the last period of time.

9 Have you used any portion of that money to  
10 support your children?

11 A Yes, that's all been to pay for the rent, help for  
12 the school fees, whatever I would pay for, it was for  
13 child support.

14 Q Including the daughter you have together with  
15 Mr. Valerio?

16 A Yes, correct.

17 Q You were asked about the termination of e-mail  
18 correspondence with Mrs. Valerio.

19 A Yes.

20 Q And I think there was a suggestion that the money  
21 also stopped coming around that time?

22 A That's correct, yes.

23 Q Is it true that in January of 2016, you told the FBI  
24 about some videos and other materials that were found from  
25 the Valerio household?

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1 A Yes, I didn't know what they were. I just know there  
2 was a white plastic bag containing objects that looked  
3 like DVD covers that he had brought to the house that I  
4 found in a set of drums that he had collected from  
5 Smithtown.

6 I mentioned the bag, but I didn't know what was  
7 in it.

8 Q Did you actually see any of the materials that were  
9 in the bags or view them?

10 A No.

11 Q You got in touch with Special Agent Troyd because he  
12 had given you his number, presumably, at the airport?

13 A Yes, and he asked to please meet with me so they can  
14 tell me the facts of what had happened because nobody had  
15 really told me the whole story what was going on.

16 Q And instead of communicating with him for that  
17 reason, you called them and told them there was this bag  
18 of material that was recovered from the Valerio household?

19 A Yes.

20 Q And is it fair to say that your relationship with the  
21 Valerios terminated after you turned in evidence against  
22 Mr. Valerio?

23 A Yes, it did.

24 MR. KABRAWALA: Just one moment, your Honor.

25 (Counsel confer.)

Owen M. Wicker, RPR

1 MR. KABRAWALA: Judge, there is nothing further  
2 at this time.

3 THE COURT: Mr. Lato?

4 MR. LATO: One moment, please.

5 Nothing further, your Honor.

6 THE COURT: Ms. D [REDACTED], thank you.

7 THE WITNESS: Thank you.

8 THE COURT: So the government rests.

9 MR. KABRAWALA: Your Honor, the government rests  
10 for purposes of the Fatico hearing, subject to any  
11 rebuttal that might be necessary to the extent the  
12 defendant puts on a case.

13 THE COURT: I know there are other sentencing  
14 issues, but in terms of the Fatico hearing with respect to  
15 these other witnesses, the defense wants to put on a case?

16 MR. LATO: No, your Honor. We're not going to  
17 put on a case. In other words, there may be some  
18 documents that we want to put in, but there's a good  
19 chance that the documents are already in evidence that the  
20 government put in.

21 I think I mentioned at the beginning of the  
22 hearing when the government introduced an exhibit that  
23 consists of 150 or so pages, there is a good chance some  
24 of the material in there I'll want to highlight as well as  
25 Mr. Kabrawala may want to highlight for the government.

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1       There's a potential there could be other documents, but  
2       right now I don't foresee them.

3               THE COURT:   How do you want to continue?   Dr.  
4       Bardet was doing a report.   Do you have that report now?

5               MR. LATO:   One second, Judge.

6               Your Honor, it's an ongoing thing with Dr.  
7       Bardet by virtue of what happened at the beginning of the  
8       Fatico hearing and what happened today is what basically  
9       Mr. LaPinta and I predicted and we believe that some of  
10      the testimony told and the last part of the hearing gives  
11      Dr. Bardet a reason to see Mr. Valerio again.   So we hope  
12      to make that arrangement within the next two weeks subject  
13      to his availability to get him to evaluate Mr. Valerio  
14      again based on some things that happened here today.

15              THE COURT:   What I would like to do is set a  
16      date.

17              MR. LATO:   For sentencing?

18              THE COURT:   First, a sentencing date but also  
19      just a date by which if you want to put a written  
20      submission in.

21              MR. LATO:   Yes.

22              THE COURT:   A sentencing submission, if you want  
23      to put in Dr. Bardet's report, if you want to point to  
24      other documents or e-mails or highlight things in the  
25      e-mail the government submitted.   I want to set a date for  
                    Owen M. Wicker,   RPR

1 sort of an omnibus memorandum and then a sentencing date.

2 Tell me when you think you would get that in.

3 I'll set a government response date and a  
4 sentencing date.

5 MR. LATO: Let me just confer with Mr. LaPinta,  
6 your Honor.

7 Your Honor, how about the last week of November  
8 for all defense sentencings. In other words a sentencing  
9 memorandum plus anything related to this hearing.  
10 Everything.

11 THE COURT: That's fine.

12 November 30th?

13 MR. LATO: That's fine, your Honor. That's just  
14 for an appearance or just for the submission?

15 THE COURT: Just for the written submission.

16 How long does the government want to respond.

17 MR. KABRAWALA: I think we'll need at least  
18 three weeks because we'll probably want to evaluate the  
19 forensic report.

20 THE COURT: Okay.

21 MR. KABRAWALA: With the Court's indulgence,  
22 we'd ask until the end of the year, of course.

23 THE COURT: That's fine. December 30th.

24 MR. KABRAWALA: 12/30.

25 THE COURT: And then how about the sentencing  
Owen M. Wicker, RPR

1 January 25, 1:00 p.m.

2 MR. BODE: It's possible I'll be on trial, but  
3 as long as it is 1:00 p.m., Mr. Kabrawala is primary on  
4 this.

5 MR. LATO: I'm sorry, what time?

6 THE COURT: 1:00 p.m. on January 25th.

7 MR. LATO: That's fine, your Honor.

8 THE COURT: Is there anything else for today?

9 MR. LATO: No, your Honor. Not from us.

10 MR. KABRAWALA: Not from the government, your  
11 Honor.

12 THE COURT: All right. Thank you.

13 (Proceeding adjourned.)  
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